

Applicants: Simon William BARKER and Ronald Roger DESROSIERS
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The Office Action states that the inventions of Groups I and II do not relate to a single general inventive concept under U.S. and Patent Cooperation Treaty ("PCT") rules because these claims do not share a corresponding special technical feature which defines a contribution over the cited art. More specifically, according to the Office Action, using a belt caster for casting molten aluminum is either anticipated by or obvious over U.S. Patent No. 6,063,152 to Harrington.

In response to this election requirement, applicants hereby elect, with traverse, to prosecute the alleged separate invention of Group I, that is claims 1-27.

Applicants respectfully request that the restriction requirement be reconsidered and withdrawn. Under 35 U.S.C. §121, restriction may be required if two or more independent and distinct inventions are claimed in one application. However, under M.P.E.P. §803, an application must be examined on the merits, even though it includes claims to distinct inventions, if search and examination of an application can be made without serious burden.

Applicants maintain that it would not be a serious burden on the Examiner if restriction is not required because a search of the prior art for an apparatus including a belt, and a method for using a belt to cast molten metal as recited in claims 1-27 (Group I) should also include a search of the prior art for a casting belt for use in a belt caster as recited in claims 28-36 (Group II). Such a search is needed because patents claiming a particular apparatus often disclose an apparatus incorporating the particular apparatus and/or methods for manufacturing with that apparatus and vice versa. Thus, applicants respectfully submit that there should

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be no serious burden on the Examiner to search for both Groups of claims. Thus, according to M.P.E.P. §803, the Examiner should examine the alleged separate inventions of this application on the merits.

In view of the preceding remarks, applicants respectfully submit that this Communication replying to the restriction requirement is complete.

Applicants look forward to a favorable action on the merits.

If a telephone conference would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone at the number provided.

No fee is deemed necessary in connection with this Communication. However, if any such fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this paper is being deposited this date with the U.S. Postal Service as first class mail addressed to: Commissioner for Patents
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 *CH. Dunham 2007*
Richard S. Milner Date
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